

13281 U.S. PTO  
020904

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**REQUEST FOR FILING NATIONAL PATENT APPLICATION**

031431 U.S. PTO  
10/773140  
020904

Under 35 USC 111(a) and Rule 53(b)

PATENT APPLICATION

**WITH SIGNED DECLARATION**

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NONPROVISIONAL  
NON REISSUE  
NON PCT NAT PHASE**

Sir:

Herewith is the PATENT APPLICATION of:Atty. Dkt. No.: 2545-0438

Inventor(s):	DALL'OSO, Davidel; SARTONI, Massimo; and DRAGHETTI, Fiorenzo
Title:	<b>A DEVICE AND A METHOD FOR SEPARATING AT LEAST ONE CONTINUOUS ROD OF FORMING MATERIAL FOR TOBACCO PRODUCTS</b>

Date: February 9, 2004

Including:

1. Specification: 32 pages (only spec. and claims)      2.  Specification in non-English language

3.  Declaration  Original  Facsimile/Copy       Abstract 1 page(s); 24 numbered claims

4.  Drawings: 3 sheet(s)  informal;  formal size:  A4  11"

5.  See top first page re prior Provisional, national or International application(s). ("X" box only if info is there and do not complete corresponding item 5 or 6). (Prior M# \_\_\_\_\_ SN \_\_\_\_\_)

6. **AMEND the specification** please by inserting before the first line: This is a  Continuation-in-Part

Divisional  Continuation  Substitute Application (MPEP 201.09) of:

6(a).  National Appln. No. \_\_\_\_\_ / \_\_\_\_\_ filed:

6(b).  International Appln. No. \_\_\_\_\_ / \_\_\_\_\_ filed:

which designated the U.S., and that International Application  was  was not published under PCT Article 21 (2) in English. –

7.  **AMEND the specification** please by inserting before the first line: -- This application claims the benefit of U.S.

Provisional Application No. 60/\_\_\_\_\_, filed \_\_\_\_\_. --

8.  Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

9.  Prior application is assigned to \_\_\_\_\_

by Assignment recorded \_\_\_\_\_ (date) Reel \_\_\_\_\_ Frame \_\_\_\_\_

10. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in Italy

11.

Application No.	Filing Date	Application No.	Filing Date
(1) BO 2003 A 000080	February 20, 2003	(2)	
(3)		(4)	
(5)		(6)	

12. 1 (No.) Certified copy/copies:  attached;  previously filed on (date) \_\_\_\_\_

in U.S. Application No. \_\_\_\_\_ filed on \_\_\_\_\_.

13. Small Entity Status:  is NOT claimed  is claimed (Pr -filing confirmation required)

13(a).  Attached: \_\_\_\_\_ No. Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)

13(b).  See NONPUBLICATION REQUEST under Rule 213(a) attached (PAT-258)

14. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

15.  This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16.  Attached: \_\_\_\_\_

17.  Preliminary Amendment Attached

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

Basis For Fee				Large Entity/Small Entity	Amount
18. Basic Filing Fee .....	Regular Utility Application Design Application			\$770 / \$385 \$340 / \$170	+ <u>770.00</u>
19. Total Claims	24	Minus 20 =	4	X \$18 / \$ 9	+ <u>72.00</u>
20. Ind. Claims	2	Minus 3 =	0	X \$86 / \$43	+ <u>0</u>
21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application)				\$290 / \$145	+ <u>0</u>
22.				Total Filing Fee Enclosed	<u>\$842.00</u>
23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee				\$130	+ <u>0</u>
24. If "assignment" box 8 is X'd, add recording fee				\$ 40	+ <u>40.00</u>
25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No.				\$130	+ <u>0</u>
26.				Total Fee Enclosed:	<u>\$882.00</u>

27.  Please charge the total fee to our deposit account below under the stated order no.: 2545-0438  
Our Deposit Account No.: 501860.

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

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By: \_\_\_\_\_  
Timothy J. Klima  
Registration No.: 34,852

Date: February 9, 2004

NOTE: File in duplicate with PTO receipt & attachments